

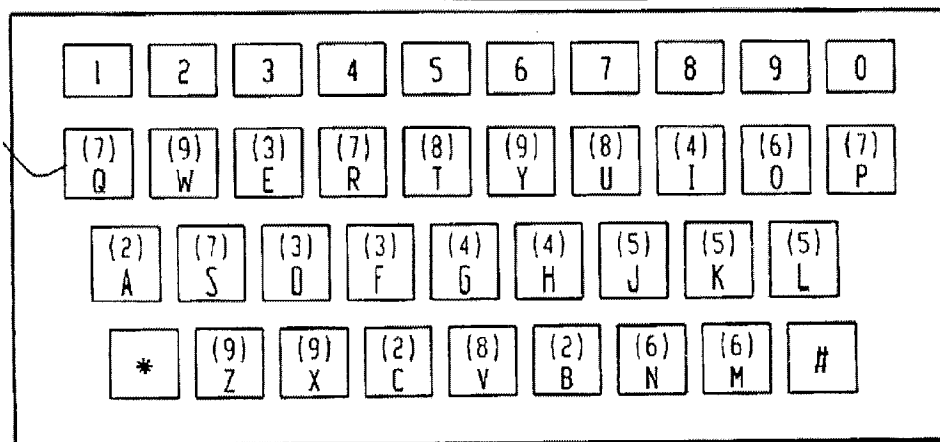
## REMARKS

### Independent Claim 42

The rejection of claim 42 should be withdrawn, because claim 42 includes a limitation that is not suggested by the cited references, to Nokia and to McGunnigle, even in combination. This is explained as follows:

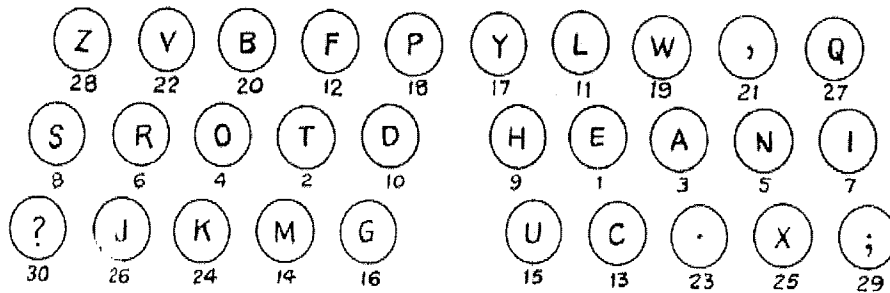
**Claim 42 recites** a keyboard with 26 keys, each labeled with both a different letter of the alphabet and a **number**. Claim 42 is amended to include a limitation, from cancelled dependent claim 43, that is not suggested by the references. This limitation specifies "the **number** being 2-9 respectively for keys labeled with A-C, D-F, G-I, J-L, M-O, P-S, T-V and W-Z". This limitation means that the three keys labeled A-C are also labeled "2", the three keys labeled D-F are also labeled "3", etc. This is exemplified in the application in Fig. 1 (reproduced below):

APPLICATION FIG. 1



**The Examiner contends** (in his rejection of cancelled claim 43) that this limitation is made obvious by the combination of McGunnigle's Fig. 10 and the Nokia User Manual's Fig. 1-1 (both reproduced below). The Examiner's reasoning is that McGunnigle Fig. 10 teaches labeling each of 26 letter keys with a number, and Nokia Fig. 1-1 teaches that the number can be 2-9 respectively for A-C, D-F, G-I, J-L, M-O, P-S, T-V and W-Z.

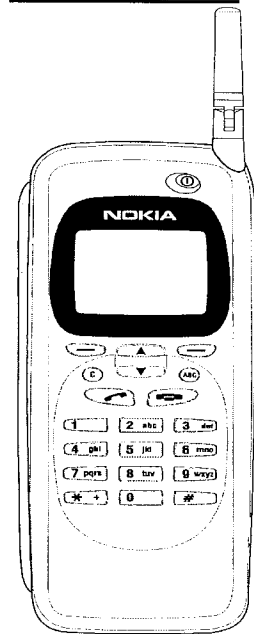
**McGUNNIGLE FIG. 10**



**FIG.10**

*THE PRIMARY OF "PERFECT" FORMAT*

**NOKIA FIG. 1-1**



However, the skilled person would never combine McGunnigle and Nokia to arrive at claim 42 for the following reason:

McGunnigle is directed to a method of designing a typewriter keyboard optimized for use in different languages (English, French, etc.). McGunnigle's first step is to draw a picture of a keyboard "on paper" (col. 13, lines 17-18) as shown in his Fig. 10, and labeling each letter key of the picture with a number that ranks the ease by which a typist's fingers reach the respective key (col. 4, lines 36-41). Ranking number "1" indicates the key is easiest for a typist's fingers to reach, and ranking "30" indicates the key is hardest for a typist's fingers to reach. McGunnigle's next step uses these rankings, along with each letter's frequency-of-use, to determine what key to assign to that letter. Accordingly, the numbers in McGunnigle's Fig. 10 are used only **when designing a keyboard for optimizing ease of typing**, and are neither present nor useful for an actual keyboard that is being used.

In contrast to McGunnigle, Nokia's Fig. 1-1 shows a standard telephone keypad, with eight number keys (labeled 2-9) that are each labeled with three letters.

Accordingly, the skilled person using McGunnigle's Fig. 10 to design an optimized keyboard layout would find no sense or benefit in replacing McGunnigle's ease-of-typing rankings with Nokia's telephone keypad letters. In fact, even if he did, he would not arrive at the "keyboard" of claim 42, since McGunnigle's numbers are not on a "keyboard" but on a **picture** of a keyboard ("on paper" as explained above). Therefore, claim 42 is patentable over the cited prior art.

### **Independent Claim 47**

In claim 47, each of the keyboard's 26 letter keys is assigned a number. Pressing a key generates a telephony tone corresponding to the number assigned to that key.

The Examiner contends that this is made obvious by the combination of Nokia's Fig. 1-1 and McGunnigle's Fig. 10 (both reproduced above). However, the skilled person could never combine Nokia and McGunnigle to arrive at claim 47 for the following reason:

As explained above, McGunnigle's numbers are **ease-of-typing rankings** that a designer prints on a **picture** of a keyboard when **designing** a keyboard. McGunnigle's numbers thus have no relevance to Nokia's cell phone keys in terms of **when** they are applied (during keyboard design vs. during keypad use), **where** they are applied (on paper vs. on a keypad), and **how** they are used (to determine key layout vs. to send telephone tones).

Therefore, claim 47 is patentable over the prior art.

### **Independent Claim 51**

Claim 51 recites a device having a keyboard with letters arranged in a QWERTY configuration, with each letter assigned a number. For each letter pressed, the device **communicates the number assigned to the pressed letter**.

The Examiner cites McGunnigle Fig. 10 (reproduced above) as disclosing a QWERTY configuration with each letter assigned a number. The Examiner contends that McGunnigle Fig. 10 teaches the limitation of "the device being operative, for each letter pressed, to communicate the number assigned to the pressed letter." This contention is incorrect. That because, as explained above, McGunnigle's numbers are merely ease-of-typing rankings that a designer prints on a picture of a keyboard when designing a keyboard. These ranking numbers are thus never **communicated**, as claimed, when a letter is pressed.

Therefore, claim 51 is patentable over the cited prior art.

### **Dependent Claims 43-46, 48-50 and 52-53**

The remaining claims all depend from base claims that are explained above to be patentable over the prior art. The limitations that the dependent claims add to the base claims distinguish them further from the prior art. Therefore, the dependent claims are also patentable over the prior art.

The application is therefore now in condition for allowance, and allowance is requested.

Respectfully submitted,



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